

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**MICHIGAN COURT OFFICER  
(Gregory J. Saffady),**

**Plaintiff,**

**-vs-**

**HON. SEAN F. COX  
Case No. 2:10-cv-11965**

**CHASE HOME FINANCE, INC.  
And PNC FINANCIAL SERVICES GROUP, INC.,**

**Defendants.**

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**DEFENDANT CHASE HOME FINANCE INC.'S RESPONSE TO "ORDER  
REQUIRING CHASE TO FILE SUPPLEMENTAL BRIEF"**

The Court's July 17, 2012 Order directed Chase to file a supplemental brief addressing its fee agreement with Orleans Associates, P.C., and to produce a copy of its written retainer showing the firm was hired on an hourly basis. Chase has fully considered the Court's directive, but respectfully declines to submit this document and instead withdraws its fee petition. Not only is the engagement agreement between Chase and Orleans a series of extensive documents covering a number of wide-ranging (and

confidential) matters, but Chase believes at this time that pursuing recovery of its fees from opposing counsel will result in further protracted litigation unrelated to the outcome of the underlying suit. Rather than incurring additional expenses attempting to collect any potential award from a potentially uncollectable source, Chase requests the Court permit it to withdraw, without prejudice, its request for fees.<sup>1</sup>

Respectfully submitted,

ORLANS ASSOCIATES, P.C.

/s/ Timothy B. Myers

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Dated: July 26, 2012

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<sup>1</sup> In light of the history of this action Chase remains aware of the possibility of future/continuing litigation, and would like to retain the option at a later time of reasserting its right to fees/expenses (and complying with the request for documentation establishing the hourly retainer) that may be incurred as a result of similar conduct in this case that led the Court to find a violation of 28 U.S.C. § 1927.

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**PROOF OF SERVICE**

I hereby certify that on July 27, 2012 I electronically filed Defendant Chase Home Finance Inc.'s Response to "Order Requiring Chase to File Supplemental Brief" and this Proof of Service with the Clerk of the Court using the ECF system, which will send notification of such filing to counsel of record for the above-captioned matter. I declare under penalty of perjury that the statement above is true to the best of my information, knowledge and

/s/Meagan L. Rowe  
Meagan L. Rowe

July 27, 2012

File No. 310.6404